

REMARKS

Claims 1-22 and 24-30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Akatsu et al. '255 ("Akatsu") in view of newly cited Kriz '416 ("Kriz"). This rejection is respectfully traversed for the following reasons.

The Examiner admits that Akatsu does not disclose or suggest the claimed second internal interface unit and therefore relies on Kriz to obviate this deficiency of Akatsu. Specifically, the Examiner alleges that Kriz discloses "a home network wherein routers enable computers to connect to the network via high bandwidth direct wired connections as well as wireless connections; Kriz, col. 5, lines 1-32" (*see* page 3, last three lines of outstanding Office Action). It appears the Examiner is taking the position that the "high bandwidth direct wired connections" and "wireless connections" of the routers, which routers the Examiner apparently reads onto the claimed first and second internal interface units, read on the different physical layers recited in claims 1 and 12.

However, even assuming *arguendo* proper, it is respectfully submitted that the Examiner's interpretation of Kriz would still not disclose the claimed invention. Specifically, Kriz does not disclose or suggest a controller which transmits and receives information *between* said first and second *internal interface units*. That is, the "high bandwidth direct wired connections" disclosed in Kriz, which the Examiner apparently relies on as a different physical layer than the wireless communication between the routers, are related to communication between the routers and other independent devices rather than communication between the routers (*see, e.g.*, col. 5, lines 6-9 for router connection to controller; col. 5, lines 24-29 for connection to keypad/computer, etc.).

Accordingly, at best, the proposed combination would result in an internal network in Akatsu in which the internal interface units all communicate between each other using the same wireless physical layer (similar to “hub” arrangement described on page 6, lines 21-23 of Applicants’ specification). Indeed, Kriz expressly discloses that the “routers communicate with each other over a relatively high bandwidth, using unlicensed Industrial Scientific Medical (ISM) band spread spectrum signal processors or transceivers such as those which operate in the 918 MHz, 2.4 GHz and 5.8 GHz bands of frequencies” (col. 6, lines 17-21). As such, the cited prior art does not suggest, nor enable, communication between two different physical layers (e.g. similar to “bridge” arrangement described on page 6, lines 23-24 of Applicants’ specification), whereby, for example, different protocols can be configured to communicate with one another (e.g., microwave <--> TV, etc.). Kriz does not suggest nor enable routers having different physical layers relative to each other for communication, let alone suggest the needed bridge between routers having different physical layers for communication therebetween.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard for establishing obviousness under § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in the independent claims because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination. It is further noted that the claim limitation “means” has been replaced by “unit” throughout the corresponding claims, expressly to avoid interpretation of the claims based on the standards laid out under 35 U.S.C. § 112, sixth paragraph (mean + function).

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.


To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the

Serial No: 09/703,802

filing of this paper, including extension of time fees, to Deposit Account 500417 and
please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: October 10, 2006